AN ACT

For Sale of the

Goods and Perſonal Eſtate

Of the late

King, Queen & Prince.

Viceſimo ſexto Junii, 1649.

ORdered *by the Commons aſſembled in Parliament, That this Act be forthwith printed and publiſhed.*

Hen: Scobell, Cleric. Parliament'.

London, Printed for *Edward Huſband*, Printer to the Parliament of *England*, and are to be ſold at his Shop in Fleetſtreet, at the Sign of the Golden-Dragon, near the Inner-Temple, 1649.

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Whereas the Goods and Perſonal Eſtate heretofore belonging to the late King Charls, and to his Wife and eldeſt Son, have been, and are juſtly forfeited by them, for their ſeveral Delinquencies; And though the ſame be of conſiderable value, yet in regard many parcels thereof are diſperſed in ſeveral hands and places, they may for Want of a certain accompt, probably be ſpoiled and imbezled, or made away without advantage to the State, if due care be not had, and ſome ſpeedy courſe taken to prevent the ſame: The Commons of England aſſembled in Parliament, taking the premiſes into their ſerious conſideration, have thought fit and reſolved, That the ſaid Goods and Perſonal Eſtate, heretofore belonging to the perſons abovenamed, and to every

or any of them, shall be inventoried and appriſed, and ſhall alſo be ſold, except ſuch parcels thereof as ſhall be found neceſſary to be reſerved for the uſes of State; Be it therefore Enacted, and it is Enacted by this preſent Parliament, and by the authority of the ſame, That John Humphreys and George Wither of Weſtminſter, Eſqs; Anthony Mildmay, Ralph Grafton of Cornhil, Michael Lampier, John Belchamp, Philip Cartwright of the Iſle of Jerſey, Gent. Henry Creech, John Foach, David Powel, and Edward Winſlow, Gentlemen, and Citizens of London, ſhall be, and are hereby conſtituted and appointed Truſtees for the enquiring out, inventorying, appriſing and ſecuring of the ſaid Goods and Perſonal Eſtate; and they, or any four or more of them, ſhall be, and are hereby authorized, to repair to any and every houſe or place whatſoever, where any of the ſaid goods, or any part of the ſaid Perſonal Eſtate doth lie, and to make or cauſe to be made, a true and perfect Inventory or Inventories thereof, and of every part and parcel thereof, which they ſhall or may any Way finde out or diſcover, and to make a juſt and equal appriſement of the ſame, and of every part and parcel thereof, according to the true value thereof, as they in their judgements and conſciences ſhall think the ſame may reaſonably and probably be ſold for; expreſſing in the ſaid Inventory or Inventories, the ſeveral ſums or values at which the ſeveral parcels ſhall be appriſed as aforeſaid, and to ſecure, or cauſe to be ſecured, the ſaid goods, and every part and parcel thereof, at ſuch place or places, and in the hands and cuſtody of ſuch perſon or perſons as they ſhall finde moſt fit and convenient, to prevent any ſpoil or imbezlement thereof; of which Inventory or Inventories, with the ſeveral

veral Appraizements of the premiſes, the ſaid Truſtees, or any four or more of them, ſhall make three Duplicates, certified under their Hands and Seals, and expreſsing the ſeveral places Where, and the perſons in Whoſe Cuſtody the premiſes or any part thereof reſpectively are ſecured as aforeſaid; and keeping the Originals in the hands of ſuch Clerk Regiſter as they ſhall think fit to imploy, ſhall Within fourteen days after any ſuch appraizements made, return and ſend one of the ſaid Duplicates to the Counſel of State, Which ſhall be kept by the Secretary thereof; and the other to the other Commiſsioners hereafter named to be Contractors for ſale of the ſaid Goods, or to the Clerk-Regiſter Whom the ſaid Contractors ſhall imploy for that purpoſe, Which ſhall by him be Regiſtred and ſafe kept; and the third to the Treaſurers hereafter mentioned, for the Receipt of the moneys to be made by ſale of the premiſes, Which ſhall by them be Regiſtred and ſafe kept. And for the more effectual proſecution of this Service, and better diſcovery of any concealment or imbezlement of the premiſes, or any part thereof, Be it further Enacted, That the ſaid Truſtees, or any two or more of them, ſhall be and are hereby authorized to adminiſter an Oath unto, and to examine upon Oath every ſuch perſon or perſons as they ſhall finde able to inform them, concerning any other perſon or perſons chargeable with, or accountable for the premiſes or any part thereof: And that the ſaid Truſtees, or any four or more of them, ſhall be and are hereby authorized, by Warrant under their Hands and Seals, to ſummon and call before them all and every ſuch perſon and perſons, and the Executors or Adminiſtrators of any ſuch perſon

perſon or perſons deceaſed, in Whoſe Hands, Charge or Cuſtody they ſhall finde, or be informed upon Oath that any of the ſaid goods or premiſes, or any Books of Accompts or Writing concerning the ſame, now are or have been, or were at any time ſince the beginning of the late King Charls his Raign, or who ſhall or may be able to inform them concerning the premiſes, or any part thereof; and to require every ſuch perſon or perſons to bring before them all ſuch Books of Accompts, & other Writing as he or they have in their cuſtody or power, or may lawfully come by concerning the premiſes or any part thereof; & in caſe of any ſuch perſons refuſal or neglect of obedience unto ſuch firſt Warrant, then by other Warrant under their Hands and Seals, to ſend for ſuch perſon or perſons in ſafe cuſtody (unleſs the perſon be a Member of Parliament or of the Councel of State, in which caſe the Parliament or Councel of State reſpectively, is firſt to be acquainted therewith, to the end ſuch perſon may be ordered and made to appear, and do according to the ſuch firſt Warrant as aforeſaid) and upon the appearance of any ſuch perſon or perſons as aforeſaid in ſafe cuſtody, or otherwiſe, the ſaid Truſtees, or any four or more of them, are hereby authorized to examine, and to require an accompt of every or any ſuch perſon or perſons concerning the diſpoſal of the premiſes, or any part thereof, either upon Oath (which they are hereby authorized to adminiſter) or elſe without Oath, as they ſhall ſee cauſe; and in caſe any ſuch perſon or perſons ſhall refuſe to anſwer, or give ſuch accompt, being thereunto required, then by Warrant under their Hands and Seals to commit ſuch Offendor or Offendors to Priſon or ſafe cuſtody, and him or them ſo to detain until he

he or they shall answer and give such accompt as aforesaid; and in case any such person or persons upon his or their own examinations, or other sufficient evidence upon Oath, shall be found to have any of the said Goods or personal Estate in his or their hands, custody or power, and shall detain, or shall conceal, and refuse or neglect to produce and deliver the same to such person or persons as the said Trustees, or any four or more of them shall order and appoint, or else to have imbezled, purloyned or made away any part or parcel of the premises, and shall refuse or neglect to bring or pay in to the Treasury hereafter in this Act appointed, the full value thereof in money, as upon like evidence as aforesaid the same shall be found to have been worth, when last known to have been in his or their hands or custody, and as shall thereupon be Awarded and Ordered by the said Trustees (which they, or any four or more of them are hereby authorized and inabled in such case to Award and Order) then the said Trustees, or any four or more of them, are hereby authorized and required to certifie the name and case of every such Offendor, with the ful value of the goods by him detained, concealed, imbezled, purloyned, or made away as aforesaid, unto the Barons of the Exchequer, who thereupon are to take order for the effectual levying of the full value so certified of the said Goods so detained, concealed, imbezled, purloyned, or made away as aforesaid, upon the Estate Real and Personal of every such Offendor respectively; which moneys so to be levied, the said Barons of the Exchequer are to cause to be immediately paid over into the hands of the Treasurers hereafter mentioned for the uses in this Act appointed: and in case upon such Inquiry,

Information,

Information, Examination, or other proceeding as aforesaid, any part or parcel of the said goods or premises, be found out, produced and recovered in kinde by the said Trustees, they are then from time to time to proceed therewith, to the inventorying, apprising and securing the same, and returning such Duplicates thereupon as is afore directed: And in case they finde any part or parcel of the premises do lie at such place and distance, as that they cannot conveniently go to apprize the same where it lies, they may, and are hereby authorized to take order for the true inventorying of the same, and for the removing thereof to such other place as they shall finde convenient, by the hands of such person or persons as they shall think fit to employ therein, in order to their more convenient apprising and disposing of the same, as is afore directed. And it is further Enacted, That the said Councel of State, upon the return of any such Duplicate unto them, as is afore directed, from the said Trustees, shall within fourteen days after such return, make choice of such particulars of the premises therein contained, as they shall think fit, to be reserved for the uses of State, not exceeding the value of Ten thousand pounds, and send an extract and accompt thereof to the Contractors hereafter named (who are thereupon to forbear any sale of such particulars, until further Order from the Parliament: And the said Councel of State are with all convenient speed, to certifie or make report to the Parliament, of such particulars as they have so made choice of, to be reserved as aforesaid, to receive the approbation, or disapprobation of the Parliament thereupon: And such of the said particulars as the Parliament shall thereupon

approve

approve, to be reserved, shall (upon a Warrant from the said Councel) be delivered by the said Trustees, or their Agents in whose Custody the same are secured as aforesaid, unto such person or persons as the said councel shall authorize and appoint to receive the same, to be reserved for the uses of the State; and such of the said particulars so made choice of, as the Parliament shall not approve to be reserved, the said Councel shall within seven days after such disapprobation certifie to the said Contractors hereafter named, who may and are thereupon to proceed unto the sale thereof, as is hereafter directed; And the said Trustees, or any four or more of them, shall be and are hereby authorized to make choice of, and appoint a Clerk-Register, and such other Agents or Officers as they shall think fit and finde needful, for the better discharge of the Trust, and dispatch of the Service hereby committed to them as aforesaid, and for their own and their Agents and Officers pains and charges therein, shall have seven pence in the pound allowed them out of all such moneys as shall be made by sale of the said goods and premises, and out of the moneys to be received, raised or levied for, and as the value of any part or parcel of the premises which they shall finde or discover to be concealed, detained, imbezled, purloyned or made away as aforesaid, which allowance of seven pence per pound, shall be paid by the Treasurers hereafter mentioned, unto the said Trustees, or to such person or persons as they or any five or more of them shall from time to time appoint to receive the same for their use, by Warrant under their Hands and Seals to the said Treasurers directed; out of which allowance of seven pence per pound, they are to satisfie all and

very the Agents and Officers by them to be employed in this service, and to defray all other charges of the same (except for such Messengers or Officers as they shall employ, for the bringing or keeping of any Offenders in safe custody as aforesaid; Who for their pains and service therein, are to have and take from every such Offender, such Fees as Messengers employed under the Sergeant at Arms attending the Parliament usually do, and lawfully may receive and take for Delinquents fetched or kept by them in safe custody, by Order of Parliament respectively. And it is further Enacted by the authority aforesaid, That Daniel Norman of the Isle of Jersey, Merchant, John Hales of London Merchant, Clement Kinnersley, John Price, Henry Parre, and William Allen, Gentlemen and Citizens of London, shall be, and are hereby constituted and appointed Commissioners and Contractors for the sale of all and every the said goods and premises, whereof such Duplicates of the inventorying and apprizements thereof shall be certified and returned to them from the said Trustees as aforesaid, except such parcels or particulars thereof as shall be made choice of & approved as aforesaid to be reserved for the uses of the State: And the said Contractors, or any three or more of them, are hereby entrusted and authorized to sell all and singular the premises (except before excepted) according to their best skill and judgement, to the best advantage for the Commonwealth, and for the uses hereafter expressed; and for that purpose, causing publique notice to be given by the space of one Week beforehand or more, of the time and place when and where they intend to begin to set to sale any part or parcel of the premises, and of the several particulars

culars then and there to be sold, they are accordingly to proceed to the sale thereof; and are hereby authorized to treat with any such person or persons who shall appear willing to buy, and to Contract with him or them for every or any of the said particulars so set to sale, at the utmost price they can obtain for the same, so as it fall not short of the apprizement made as aforesaid, unless (upon further consideration thereof) the said Trustees, or four or more of them, shall finde cause, and agree to alter the same unto a lower rate; and shall by Writing under their Hands and Seals certifie such alteration to the said Contractors, in which case the said Contractors may sell any such particular or particulars at or above the rate or rates unto which the apprizement shall be so altered respectively; and in such case the said Trustees are also in like maner to certifie the alteration or alterations so made, both unto the Councel of State, and to the Treasurers hereafter mentioned; and of all and every the particulars sold and contracted for as aforesaid, and of the buyers names and places of abode, and the prices agreed upon respectively; and the said Contractors are immediately upon the Contract to cause an Entry to be made in a Book, to be kept by their Clerk-Register for that purpose, and to such Entry the buyers to subscribe their names respectively, which Entry and Subscription shall make the bargain obliging on both parts; and for further assurance thereof to the buyers (if it be by them insisted on) the said Contractors, or any three or more of them, are to give a Note under their Hands and Seals unto the several buyers respectively, expressing the particulars by them bought, and the prices, and upon and according to the Entries

made as aforesaid, the said Contractors, or any three or more of them, shall by Writing under their Hands and Seals, from time to time certifie unto the said Trustees, and to the Treasurers hereafter mentioned severally, an account of the particulars sold, With the buyers names and prices, and day of sale respectively; and before delivery of any the particulars sold unto the respective buyers, the said Contractors are to cause the full price or prices agreed upon for the same, to be paid into the hands of the Treasurers hereafter mentioned in this Act, unless they shall finde cause to give day for part thereof; in which case it is left to them so to do, so as that part exceed not the moyety of the full price, and so as the day given exceed not two moneths, and that sufficient security be taken by them for the sum forborn, and upon payment of the full price agreed upon, or of one moyety or more thereof, and such security taken as aforesaid for the remainder, the payment being certified by the Treasurers, and the security by three or more of the Contractors unto the said Trustees, they the said Trustees, or three or more of them, shall give out their Order or Warrant, directed to the person or persons in whose hands such particulars were secured by them as aforesaid, for the delivery of such particulars unto the buyer or buyers respectively, or to his or their assigns; and shall also make and deliver unto every such buyer or buyers in Writing under their Hands and Seals, an Assignment of the said particulars respectively, in the nature of a Bill of Sale, whereby the propriety of the particulars so assigned, shall be fully vested in such buyer and buyers respectively, and in his or their Assigns, by vertue of this Act; And in case any person or per-

persons, Who shall have bargained With the said Contractors as aforesaid for any of the premises, shall not Within the space of one moneth after the contract made and entred as aforesaid, effectually prosecute his or their bargain, by paying the ful price, or one moyety thereof or more, and giving such Security for the remainder, as shall be insisted on by the said Contractors, so as the default lie on the part of such buyer or buyers, then every such buyer for such default, shall incur the penalty and forfeiture of one fourth part of the sum of the price agreed on; Which upon certificate of such default, With the sum of the penalty, from three or more of the said Contractors, under their Hands and Seals, unto the Barons of the Exchequer, the said Barons shall take order for the levying of the same to the use of the CommonWealth, out of the Estate Real and Personal of such defaulter or defaulters respectively, and every such defaulter shall also forfeit and lose the benefit of his said bargain, and in such case after the space of seven days from the expiration of the said moneths space next ensuing, the Contract; and such default continuing, then the said Contractors, or any three or more of them, may and shall proceed to a new sale of all and every such particulars (concerning Which such default is made) unto any other person or persons, as if no sale thereof had before been made: But Whereas divers of the said goods and premises are of such nature, as that though by reason of their Rarity or Antiquity, they may yield very great prices in Forraign parts, Where such things are much valued, yet for particular mens use in England, they Would be accounted little worth, and so yield no considerable price, if they should

shoulde be forthwith sold here, according to the foregoing directions: It is therefore further Enacted and Provided, That for such particulars of the premises as the said Contractors shall finde to be of that nature, they or any three or more of them may treat and agree with any Merchant-Adventurer or Forreign Merchant, about transporting such of the said goods into any Forreign parts where they may be sold at the best rates, and either by immediate sale thereof to such Merchants, to be by them transported and sold as their own (in which case the Contractors may give such day or days for payment, as they shall finde needful and convenient, for the better improvement of the price) or else by hiring the Transportation of such things into Forreign parts where they may best sell, & there procuring them to be sold for this State, the said Contractors are left to take the best course they can, according to their best skil & judgements, to sell such things to the utmost advantage of the Commonwealth, although it be in a way differing from that which is before in general directed for other parts of the premises, Any thing in this Act contained to the contrary notwithstanding. Provided always, That no such particulars of the premises be sold to Merchants here, or transported into other parts, to be sold at any rates lower then by the aforesaid apprizements they are valued at, and so as the money for which they shall be so sold, be paid with all possible expedition in to the same Treasury hereafter mentioned, for the use hereafter appointed: And the said Contractors, or any three or more of them, shall be, and are hereby authorized to chuse and appoint a Clerk-Register, and such other Officers or Agents as they shall think fit and finde needful,

ful, for the better discharge of the trust, and dispatch of the service hereby committed to them; and for their own, and their Agents and Officers pains and charges therein, shall have five pence in the pound allowed them out of all such moneys as shall be made by sale of the said goods and premises, and out of the moneys to be raised, levied and received for and as the forfeiture of any buyer or buyers, making default as aforesaid in non performance of his or their bargain; which allowance of five pence per pound, shall be paid by the Treasurer hereafter mentioned unto the said Contractors, or to whom they or any three or more of them shall from time to time appoint to receive the same for their use, by Warrant under their hands & seals to the said Treasurers directed; out of which allowance they are to satisfie all and every the Agents and Officers by them to be imployed in this Service; and to defray all other charges of the same (except for Transportation and Sale of such particulars as shall be sent into any Forreign parts as aforesaid, to be there sold) the charges whereof shall be allowed and satisfied out of the improvement of the price of such particulars above what they would yield, if sold here. And it is further Enacted by the authority aforesaid, That Humphrey Jones, and John Hunt, Gentlemen and Citizens of London, shall be and are hereby constituted and appointed Treasurers for all and every such sum and sums of money as shall or may be made, raised, levied and paid, by vertue of this Act, or any thing therein contained; and shall receive and safe keep all such moneys, and issue out the same for such uses, by such Warrant, and according to such directions as are in this Act appointed or prescribed, or shall further by authority

of

of Parliament be prescribed and appointed, and not otherwise; and of all the moneys so received and issued out shall keep, and when thereunto required by authority of Parliament, shall render a just and true accompt, and faithfully observe and perform all such things as by this present Act, or any thing therein contained; and according to the true intent and meaning thereof, the Treasurers of the moneys aforesaid, ought to do, observe and perform, and for their pains and charges therein, and satisfaction of such Clerks or other agent and assistants as they shall finde needful to employ therein, shall receive and have the allowance of two pence in the pound, out of all and singular the moneys to be received and accounted for by them as aforesaid, which allowance it shall be lawful for them out of the said moneys from time to time to detain and keep, and the same shall be allowed upon account: And although most of the Goods and Premises, having been of old belonging to the Crown, and not to the persons of King, Queen or Prince, and now belonging to this Commonwealth, the proceed upon the sale of them might justly be disposed of for publique uses, yet considering the many debts owing from the persons of the said King and Queen, and from their said Son, contracted before the late Wars, and due unto divers persons that are not Delinquents, but have constantly adhered to the Parliament, and suffered for the same, and many of them so necessitous, as that their condition cannot bear the want of their said debts, The Parliament hath thought fit, and do hereby Ordain, That the moneys to be raised by sale of the said goods and premises, shall be imployed and disposed for and towards the satisfaction of the debts

debts aforementioned, and of such of them especially as were contracted for necessary houshold expences; which debts shall be paid out of the moneys to be raised as aforesaid, as far as the same will go, in such maner, and by such proportion, as by authority of Parliament shall be hereafter directed. Provided always, That the sum of Thirty thousand pounds out of the first moneys to be raised by such sale as aforesaid, shall by the Treasurers aforementioned be issued and lent unto the Treasurer of the Navy, for supply of the present uses of the Navy; and the said Trustees, or three or more of them, shall direct their Warrant or Warrants for that purpose, unto the Treasurers aforenamed; which said sum of Thirty thousand pounds, shall before the second day of May, One thousand six hundred and fifty, be restored and reimbursed by the Treasurer of the Navy, out of his receipts for the Navy, into the hands of the Treasurers named in this Act, for the uses therein declared. And for the better discovery and ascertaining of the sum, and several conditions of those debts, for satisfaction whereof the said moneys are designed as aforesaid, Be it further Enacted by the authority aforesaid, That the said Trustees, or any four or more of them, shall be, and are hereby authorized and required to receive such Informations and Accompts concerning the debts aforementioned, as shal be tendred to them, or any persons concerned (whom they shall or may examine upon oath, touching the truth and condition of the same) and also by Warrant under their hands, to call before them any such person or persons, who have any books of Accompts or Writings, or can give any further Information or Evidence concerning the same, and them

to examine upon oath touching the truth, nature and ground of any the debts so informed of; and whether the same, or any part thereof hath been paid, and what remains due; as also to examine concerning the conditions of the creditors, & time of the debts contracted, & for what the same were respectively; and upon such examination, to make & certifie to the Parliament or ye Councel of State, a true list & accompt, or several lists and accompts of all such of the said debts as they shal finde to be of the condition aforementioned, expressing the several sums appearing due, and for what and when Contracted, and whether the persons to whom the same become due by assignment or otherwise, appear to be Delinquents or Friends to the Parliament; and whether they have lent or advanced any Money, Plate, Horse, Arms or Furniture upon the Parliaments Propositions, before the 24th day of March, 1642. and whether they have constantly adhered to the Parliament, or suffered for the same; and whether their condition be necessitous, so as they cannot bear the want of their said debts; and of such debts, and to such persons, the said Trustees are specially to make a distinct list and certificate, as they shall finde to have been Contracted for Wages or sallaries to Servants, or for other necessary provisions of Chamber, Houshold or Stables, to the end it may thereupon the better be determined, Which of the said debts shall be paid, in what order, and by what proportions; Whereupon the Parliament will determine and take order for the payment of such of the said debts as shall appear most just and equal, as far as the proceed of the said goods will extend.

Vicesimo sexto Junii, 1649.

ORdered by the Commons assembled in Parliament, That this Act be forthwith Printed and Published. *Hen: Scobell, Cleric. Parliamenti.*